

REMARKS

The Office Action mailed February 10, 2004 has been reviewed and the comments of the Patent and Trademark Office have been considered. Claims 1-33 were pending in the application. Claims 1, 16, 31-33 have been amended, claims 34-39 have been newly added and no claims have been cancelled. Therefore, claims 1-39 are pending in the application and presented for reconsideration.

This amendment changes and adds claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, are presented, with an appropriate defined status identifier.

In the Office Action, claims 1-13, 15-28, and 30-33 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent no. 5,432,542 to Thibadeau et al. (hereafter "Thibadeau"). Claims 14 and 29 are rejected under 35 U.S.C. § 103(a) as being obvious over Thibadeau. Applicants respectfully traverse these rejections for at least the following reasons.

Independent claims 1, 16, and 31 recite a method (or software/system) that displays location based information after determining, at an information site, location data from a user of the location based information. The location based information is generated at the information site based on the determined location data. Thereafter, the generated location based information is provided to the user over a network. The generated location based information includes information exclusively from respective sponsors in respective categories of information. These recited features in the independent claims 1, 16, and 31 are not disclosed or suggested by Thibadeau.

First, Thibadeau discloses that information broadcast by a transmitter are selectively filtered at the user terminals. See, for example, lines 1-3 of the Abstract, col. 1, lines 53-57, and col. 4, lines 43-47 of Thibadeau. This is clearly very different from the claimed determination of location data and generation of location based information *at the information site* and subsequently providing the generated location based information to the user over a network.

Second, Thibadeau actually teaches away from the claimed configuration since it teaches advantages of the user filtering the broadcast information. See, for example, col. 4, lines 43-47 of Thibadeau which teaches that "[t]he end users have control of the geographic

definition and can arrange to see, store, or otherwise process only messages relevant to selected geographic areas....” Therefore, Thibadeau does not teach or suggest the claimed feature of generation of location based information at the information site and actually teaches away from it.

Third, independent claims 1, 16, and 31 recite that the generated location based information includes information exclusively from respective sponsors in respective categories of information. This recited feature is also not disclosed or suggested by any of the cited references and provides another reason for the patentability of independent claims 1, 16, 31.

Independent claim 32 recites determining contextual information, other than a location, of a user or device, and generating information based on the determined contextual information and providing the generated information over a network to the user or device. This recited feature is also not disclosed or suggested by Thibadeau. Accordingly, independent claim 32 is patentable over the applied prior art.

Furthermore, since all of these deficiencies in Thibadeau are not cured by any of the other cited references, all of the independent claims are believed to be patentable over the cited prior art.

The dependent claims are also in condition for allowance for at least the same reasons, as discussed above, as the independent claims on which they ultimately depend. In addition, they recite additional patentable features when considered as a whole.

For example, new claims 34 and 35 specify the contextual information that is used in generating the information to be provided to the user. See, for example, page 12, lines 6-19 of the originally filed specification for support for these recited features. These types of contextual information for generating and providing generated information over a network are also not disclosed or suggested by the cited prior art. New claims 36-39 also recite additional features that are not disclosed or suggested by the cited prior art. New claims 36-37 are supported at least at page 7, lines 20-26 of the specification. New claims 38-39 are supported at least at page 14, lines 11-15 of the specification. These features provide additional reasons for the patentability of these claims since they are not disclosed or suggested by the cited prior art.

In view of the foregoing amendments and remarks, applicants respectfully submit that the application is now in condition for allowance. If there are any questions regarding the application, or if an examiner's amendment would facilitate the allowance of one or more of the claims, the examiner is invited to contact the undersigned attorney at the local telephone number below.

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicants hereby petition for any needed extension of time.

Respectfully submitted,

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